

VILLAGE OF VIRGINIA GARDENS
6498 N.W. 38th TERRACE
VIRGINIA GARDENS, FLORIDA 33166

TELEPHONE: (305) 871-6104

Instructions: You must complete and return this cover sheet together with the completed Building Permit application and all other applicable forms prior to issuance of a permit. The Homeowner keeps the warning and commencement notices.

I hereby certify that I, _____ am the owner of the property
located at _____ Virginia Gardens, Florida

and acknowledge receipt of the following:

- 1) Florida's Construction Lien Law "Warning to Owner"
- 2) Building Permit Application (2 pages)
- 3) 2 copies of the Notice of Commencement form
- 4) A copy of the permit processing procedure
- 5) Instructions to owner-builder

The Notice of Commencement must be filed with the Clerk of the Courts, if the cost of the job exceeds \$2,500.00.

The Notice of Commencement may be mailed or delivered, along with a \$8.00 recording fee to:

Dade County Recorder
22 N.W. 1st Street, 1st Floor
Miami, Florida 33130
Phone (305) 270-1155

Homeowner's Signature

Sworn to and subscribed before me
This _____ day of _____ 20____

Notary Public

My Commission expires:

WARNING TO OWNER

Florida's Construction Lien Law (Chapter 713, part one, Florida Statutes) requires an owner having improvements to real property made greater than \$2,500.00 in value to record a Notice of Commencement with the Clerk of the Courts. Under Florida's law, those who work on your property or provide materials and are not paid have a right to enforce their claim for payment against your property. This claim is known as a construction lien.

YOU MUST FILE A NOTICE OF COMMENCEMENT

For your protection under the Construction Lien Law and to avoid the possibility of paying twice for improvements to real property, the owner or authorized agent (lender or attorney) shall record a Notice of Commencement in the Clerk of the Courts of the Court's office and post a certified copy of the recorded document at the construction site. The Notice of Commencement must be signed by the owner contacting the improvements and not a agent.

The Notice of Commencement must substantially contain the information shown on the attached form and be recorded within 90 days before starting the work.

A copy of a payment bond given by the contractor must be attached as part of the Notice to Commencement when recorded.

If improvements described in the Notice of Commencement are not actually commenced within 90 days after its recording, the Notice is void and a new Notice of Commencement must be recorded and posted.

The owner loses the proper payment defense under the Construction Lien Law if payments are made after the expiration of the Notice of Commencement, which is one year after the recording date or the later expiration date otherwise specified in the Notice of Commencement.

Florida law requires the building department to be a second source of information concerning the improvements made on real property. Attached is a copy of our permit application which requires information on the construction lender and contractor's surety if any. The application also requires the signature of the property owner. This is to help inform owners of the Construction Lien Law.

YOU MUST POST THE NOTICE OF COMMENCEMENT AT THE JOB SITE

By law, the Building and Zoning Department is required to verify at the first inspection, which occurs 7 days after the building permit is issued, that a certified copy of the recorded Notice of Commencement, with attached bonds if required, is posted at the construction site. Failure to post the Notice will result in a disapproved inspection (F.S. 713.135(1)(d)).

NOTICE TO OWNER FROM SUBCONTRACTORS AND SUPPLIERS

Owners may receive Notice to Owner from subcontractors and material suppliers. This notice advises the owner that the sender is providing services or materials and that a written release of lien must be obtained from the sender before paying the contractor.

Subcontractors and suppliers must serve a Notice to Owner within 45 days of commencing work to preserve their ability to lien you property.

Any subcontractor or supplier not serving the owner with a Notice to Owner within 45 days of commencing work is not entitled to construction lien. If the address for the owner changes from that given in the Notice of Commencement, the owner should record an amendment Notice of Commencement reflecting the proper current address of the owner.

VILLAGE OF VIRGINIA GARDENS

**6498 N.W. 38th TERRACE
VIRGINIA GARDENS, FLORIDA 33166**

TELEPHONE: (305) 871-6104

I, _____, hereby certify
that the addition or alteration to my residence will not be
used for rental purposes.

Building Permit No. _____ Date _____

Signature

Address

Notary Public

INSTRUCTION TO OWNER- BUILDER

You have this date made application for a building permit as an owner-builder. You should be advised of the following provisions and requirements that apply to owner-builders:

Proof of Ownership - Prior to a building permit being issued to you, you must submit proof of ownership of the land concerned in the application in the form of a recorded deed, showing you own the property, or a copy of mortgage or warranty deed of the land, showing you are obligated to purchase the property, or a Dade County tax receipt, statement to contain legal description of property and indicate property is in your name. Legal description and name on document of proof must correspond to the name and legal description on the application.

Responsibility - You will be responsible for all work done by your day labor employees, and you must either employ licensed contractors or persons to be paid on an hourly or per diem basis. Any one contracting (including labor) with you, verbally or in writing, on a fixed fee basis for any work, who is not properly licensed, will be subject to a fine of \$500.00 and/or imprisonment for six months.

Insurance - You should be advised that if your day labor employees cause any damage to persons or property, or if any of your day labor employees are injured on the job, you are liable. Your regular home insurance policy ordinarily does not cover this type of liability.

Withholding Taxes, etc. - You should be advised to investigate your responsibility for withholding Social Security, Federal and State Unemployment Insurance Taxes and Federal Income Taxes from the wages of employees working for you on the proposed construction, and for making returns thereof to the proper agencies.

Work Permitted Owner-Builder - An owner-builder, subject to the following provisions and requirements, is limited to constructing one single family or duplex residence each year for his own use and occupancy; or maintaining, altering or repairing his own single family or duplex residence; or erecting a one story building of not more than 500 square feet for commercial or industrial use, or adding a first floor addition of not more than 500 square feet to commercial or industrial building; or maintenance or repairs and non-structural alterations, not exceed \$5,000.00 on any building which he owns or leases.

If you do not intend to do the work involved yourself, or with day labor, please list below, the name of the individual or firm with whom you have entered (or will enter) into a contract for the work.

NOTICE: SEPARATE PERMITS REQUIRED FOR ELECTRICAL, PLUMBING, ROOFING AND MECHANICAL WORK

| | |
|----------------------------|---------|
| Name of Individual or Firm | Address |
|----------------------------|---------|

I, the owner of property described as _____

_____ do hereby certify that I have read the

foregoing instructions, and am aware of my responsibilities and liabilities under my application for a building permit for

construction work on the above described property.

Witness
Date _____

Owner
Date _____

NOTICE OF COMMENCEMENT

PERMIT NO. _____ TAX FOLIO NO. _____

STATE OF FLORIDA:

COUNTY OF DATE:

THE UNDERSIGNED hereby gives notice that improvements will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. Legal description of property and street address: _____

2. Description of improvement: _____

3. Owner(s) name and address: _____

Interest in property: _____

Name and address of fee simple title holder: _____

4. Contractor's name and address: _____

5. Surety: (Payment bond required by owner from contractor, if any)

Name and address: _____

Amount of bond \$ _____

6. Lender's name and address: _____

7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by Section 713.13(1)(a)7., Florida Statutes,

Name and address: _____

8. In addition to himself, Owner designates the following person(s) to receive a copy of the Lienor's Notice as provided in Section 713.13(1)(b), Florida Statutes.

Name and address: _____

9. Expiration date of this Notice of Commencement: (the expiration date is 1 year from the date of recording unless a different date is specified) _____

Signature of Owner

Print Owners Name _____

Prepared by: _____

Sworn to and subscribed before me this ____ day of _____, 20__.

Address: _____

Notary Public _____

Print Notary's Name _____

My Commission Expires: _____

PERMIT NO. _____
Date Issued: _____
Receipt No. _____

PERMIT APPLICATION - BUILDING

Owner's Name _____ Tax Folio No. _____

Owner's Address _____

Fee Simple Titleholder's Name (if other than owner) _____

Fee Simple Titleholder's Address (if other than owner) _____

City _____ Home phone No. _____

State _____ Zip _____ Business phone No. _____

Contractor's Name _____ State Cert. # _____

Contractor's Address _____ Cert. of Comp.# _____

City _____

State _____ Zip _____ Phone No. _____

Job Name _____

Job Address _____

City _____ County _____

Legal Description _____

Bonding Company _____

Bonding Company Address _____

City _____ State _____ Zip _____

Architect/Engineer's Name _____

Architect/Engineer's Address _____

Mortgage Lender's Name _____

Mortgage Lender's Address _____

Application is hereby made to obtain a permit to do the work and installation as indicated. I certify that no work or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for ELECTRICAL WORK, PLUMBING, SIGNS, WELLS, POOLS, FURNACES, BOILERS, HEATERS, TANKS, AIR CONDITIONING, etc.

OWNER'S AFFIDAVIT: I certify that all the foregoing information is accurate and that all work will be done in compliance with all applicable laws regulating construction and zoning.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

Signature _____

Owner or Agent

(including contractor)

Date _____

Signature _____

Contractor

Date _____

NOTARY as

to Owner or Agent _____

My Commission Expires: _____

NOTARY as

to Contractor _____

My Commission Expires: _____

Owner's Name _____ Permit No. _____

TWO SETS OF PLANS & SPECIFICATIONS must accompany this application

| Category | Square or Lineal Feet | Number | Est. Cost. | Fee |
|----------------------------|--------------------------|--------|------------|-----|
| New Building - 01 Comm. | | | | |
| 02 Res. | | | | |
| Addition | | | | |
| Alteration/Repair | | | | |
| Windows/Glass Doors-82 | | | | |
| Concrete Slab | | | | |
| Paving - 87 | | | | |
| Roofing - 44 | | | | |
| Fences/Walls - 18 | | | | |
| Awnings/Canopies - 08 | | | | |
| Swimming Pool - 55 | | | | |
| Other: | | | | |
| Code Compliance Fee | | | | |
| Radon Surcharge | | | | |